



# State of Utah

DEPARTMENT OF COMMERCE  
Committee of Consumer Services

## Minutes of the Meeting of the Committee of Consumer Services Held in Room 4A of the Heber M Wells Building, Salt Lake City, on 2 December 2003

Dee Jay Hammon called the meeting to order at 9:35am in Room 4A.

### Members of the Committee in Attendance:

Franz Amussen  
Kelly Casaday

Ryan Atkinson  
Dee Jay Hammon

Kent Bateman  
Betsy Wolf

### Staff in Attendance:

Roger Ball  
Nancy Kelly  
Eric Orton

Kelly Francone  
Leah Lindstrom  
Oliwia Smith

Dan Gimble  
Cheryl Murray  
Reed Warnick

### Members of the Public in Attendance:

Sterling Brown  
Brice Wallace

Chris Keyser

Barrie McKay

## 1 Administrative Matters

### 1.1 Welcome and Apologies for Absence

Dee Jay Hammon welcomed all those attending the meeting. He introduced and welcomed Ryan Atkinson as the newest member of the Committee. Ryan then gave a brief summary of his background.

Eric Orton and Nancy Kelly were given 5-year service award plaques.

### 1.2 Minutes of Previous Meetings

Kent Bateman proposed that the minutes of the meetings of 9 September and 22 September 2003 be approved. Betsy Wolf seconded the proposal, which passed unanimously.

### 1.3 Dates and Locations of Next Meetings

The next meeting of the Committee will be held on Tuesday, 13 January 2004, commencing at

9:30am until 2:30pm, in Room 4A of the Heber M Wells Building. The following meeting is scheduled for Tuesday, 9 March, at the same time and in the same location. The Committee took note of scheduled dates for its meetings during 2004 and proposed dates for 2005.

#### 1.4 Professional & Technical Budget Review

The Committee reviewed its Professional & Technical Budget

##### 1.4.1 Consideration of Several Contract Extensions

Kelly Casaday proposed that:

the Committee of Consumer Services extends the termination dates of the contracts:

in the Questar 2001 Test Year Rate Case with the McFadden Consulting Group, and Yankel & Associates

from 31 December 2003 to 30 June 2004;

for electricity industry restructuring and related matters with Nancy Kelly

from 31 December 2003 to 30 September 2004; and in the

SRP Case with Hayet Power Systems Consulting, Larkin and Associates, and Synapse Energy Economics; and the

PacifiCorp Depreciation Case with Arndt & Associates

from 31 December 2003 to 31 December 2004.

Franz Amussen seconded the proposal and it passed unanimously.

## 2 Gas

### 2.1 1999 Test Year Rate Case – Supreme Court CO<sub>2</sub> Order

Reed Warnick gave a brief update on the CO<sub>2</sub> Case and said that oral arguments will be heard by the Commission on 11 December.

Kelly Francone gave an update on the weatherization program.

## 3 Telecom

### 3.1 Rule Amendment – Universal Service Fund

Oliwia Smith pointed out that these were now separate Briefing Book pages on the Utah Universal Service Fund and the Federal Universal Service Fund. She then updated the Committee on a recent amendment to the Commission's Utah Universal Service Fund rule.

### 3.2 Proposed Rule – Discontinuance of Basic Local Telephone Service

Oliwia summarized the proposed Exit Rule that the Commission had issued on 9 September 2003.

### 3.3 Rule Amendment – Customer’s Statement of Rights & Responsibilities

Oliwia outlined recent developments.

### 3.4 Triennial Review Order

Oliwia explained that the goal of the Triennial Review is to advance competition in the telecommunications industry.

### 3.5 Pricing Flexibility

Oliwia said that the Committee had filed a petition for reconsideration with the Commission on 1 December 2003.

### 3.6 Sale of Yellow Pages

Oliwia stated the sale of Qwest Dex closed on 9 September and each Utah customer should have received a \$34.25 credit by the end of October.

### 3.7 Rural ILEC Rate Cases

Oliwia outlined the Committee’s involvement in the Rate Case process for rural telcos.

## 4 Electric

### 4.1 Multi-State Process

Nancy Kelly updated the Committee on the most recent developments.

### 4.2 2003 Test Year Rate Case

Cheryl Murray summarized the current status of the Rate Case.

### 4.3 Integrated Resource Plan

Nancy gave an update on the IRP.

### 4.4 Sales of Power in Excess of 1 MW by Qualifying Facilities to PacifiCorp

Kelly Francone updated the Committee on developments regarding Electric Service Schedule 38.

### 4.5 Sales of up to 1 MW of Power by Qualifying Facilities to PacifiCorp

Kelly explained recent filings in connection with PacifiCorp’s Electric Service Schedule 37.

### 4.6 Currant Creek Power Project

Cheryl gave an overview of the Currant Creek Power Project.

#### 4.6.1 Consideration of a Contract Amendment

Betsy Wolf proposed that:

the Committee of Consumer Services allocates an additional \$25,150 – for a total of \$48,150 – to the IRP contract with Hayet Power Systems Consulting.

Kent Bateman seconded the proposal and it passed unanimously.

#### 4.7 Demand Side Management Tariff Rider

Cheryl said that the Commission had approved a Tariff Rider Stipulation.

#### 4.8 Standard Market Design

Nancy said that the SMD issue is now in congressional hands and may yet be decided this year.

#### 4.9 Western Regional Transmission Issues

This item was deferred to a subsequent meeting.

### 5 Legislative Matters

#### 5.1 2003 Legislative Interim

Kelly gave an overview of the proceedings of Interim Committee Meetings.

##### 5.1.1 Proposed Legislation – 911 Fees

Roger Ball briefed the Committee on the 911 Enhancement Bill.

#### 5.2 Energy Policy Task Force

Kelly summarized the recent activities of the Energy Policy Task Force for the Committee.

##### 5.2.1 Consideration in Principle of a New Contract

Franz Amussen proposed that:

the Committee of Consumer Services approves, in principle, the allocation of an amount up to \$15,000 for a new contract for expert assistance, advice, and testimony, with a consultant selected on the basis of the evaluation of proposals received in response to an RFP in the field of renewable energy.

Ryan Atkinson seconded the proposal and it passed unanimously.

### 6 Other Business

Roger expressed appreciation to all those who had contributed to the Idaho Food Bank in behalf of Nancy Kelly's father, who had recently passed away.

## 7 Closed Meeting

Franz Amussen proposed that the Committee go into closed session to discuss pending or reasonably imminent litigation. Ryan Atkinson seconded the proposal and it passed unanimously.

Kent Bateman proposed that the Committee return to open session. Franz Amussen seconded the proposal and it passed unanimously.

## 8 Motions on Matters Discussed in Closed Meeting

Franz Amussen proposed that the Committee approve Dan Gimble's report in the PacifiCorp Rate Case, and direct staff to continue the negotiations. Kent Bateman seconded the motion, which passed 5-1, Betsy Wolf voting against it.

## 9 The Committee: Its Function and its Future

Kent Bateman proposed that the Committee adjourn, and the meeting ended at 2:48pm.